



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

July 5, 2000

H.R. 3383

A bill to amend the Atomic Energy Act of 1954 to remove an exemption from civil penalties for nuclear safety violations by nonprofit institutions

*As ordered reported by the House Committee on Armed Services
on June 28, 2000*

H.R. 3383 would amend the Atomic Energy Act of 1954 to repeal the exemption from civil penalties for nuclear safety violations that currently applies to nonprofit institutions operating laboratories of the Department of Energy (DOE). Under the bill, nonprofit institutions that are operating DOE laboratories would be subject to penalties no greater than the amount that they are paid by DOE that exceeds their reimbursable costs (known as the discretionary fee). Thus, enactment of H.R. 3383 could result in an increase in governmental receipts, so pay-as-you-go procedures would apply. However, CBO estimates that any change in receipts would not be significant. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

Currently, several nonprofit institutions (primarily universities) are exempt from paying civil penalties, assessed under the Price Anderson Act, for nuclear safety violations at DOE laboratories. According to DOE's Office of Enforcement and Investigation, over the last four years nonprofit contractors have been assessed \$990,625 in penalties. All of those penalties have been waived in accordance with current law. Under H.R. 3383, any future penalties would be paid to the Treasury. Based on penalties that have been assessed in the past, CBO expects that such revenues would be less than \$250,000 a year.

On June 7, 2000, CBO transmitted a cost estimate for H.R. 3383 as ordered reported by the House Committee on Commerce. The cost estimates and the two versions of the bill are identical.

The CBO staff contacts are Lisa Cash Driskill (for federal costs) and Victoria Heid Hall (for the state and local impact). This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.